

1894-078  
Lee Co.

Chancery Causes: Jennie Sarver vs. James Sarver

Holliday, Wilson, Carroll

CA-Divorce  
T-Migration  
Vices



1 To The Hon. H. S. K. Morrison,  
2 Judge of the Circuit Court of Lee County,  
3 Virginia:

4 Humbly Complaining, your Oratrix,  
5 Jennie <sup>a citizen of this county</sup> ~~Sarver~~ Wife of James Sarver  
6 shews unto your honor that she was  
7 married to the said James Sarver in the  
8 year 1886 in the State of Tennessee and  
9 that she is now a citizen of this county, she  
10 and her husband having lived together  
11 in this county for four years after the  
12 said marriage and so continued till he  
13 abandoned her about two years since.  
14 There was no issue resulting from said  
15 union. Your oratrix charges that her said  
16 husband James Sarver was not only guilty  
17 of cruel and inhuman treatment toward  
18 her, and without just cause abandoned  
19 her, but at divers times and with  
20 numerous persons committed the act  
21 of adultery, within the last five years  
22 before <sup>the</sup> bringing of this suit, and since  
23 the knowledge of the fact of said  
24 adultery she has not cohabited with him  
25 and that said acts were not committed  
26 by the procurement or connivance of  
27 your oratrix. Your oratrix further charges  
28 that the said James Sarver is now a non  
29 resident of this state leaving your oratrix  
30 in this county (where they last cohabited) without  
31 any thing or means of support.

32 The object of this suit is to obtain a divorce



1 from the bonds of matrimony.

2 The premises considered the prayer of  
3 your orator is that the said James Somers  
4 be made party defendant hereto and  
5 required to answer the same on oath.  
6 and that upon a hearing your honor  
7 will grant your orator a full and  
8 complete divorce dissolving the bonds  
9 of matrimony now existing between your  
10 orator and said deft. and if mistaken  
11 in this her special prayer she prays for  
12 all such other further and general relief  
13 suited to the merits of her cause. May the  
14 com. wit of spo. issue &c.

15 Jackson & Blankenship  
16 attys for com. pet.  
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H.C. \$5.89  
 M.C. 4.48  
 atty. 15.50  
 \$25.87

Jennie Somner  
 vs 3 Arg. Bill.  
 James Somner

1893 1st Febry Rules Bill filed  
 " 3pa not executed & cont'd  
 " 2nd Febry Rules cont'd  
 " 14 2 March " "  
 " 14 2 Apr. " "  
 " 14 2 May " "  
 " 15 2 June " "  
 " 14 2 July cont'd  
 " 14 2 Aug. R. " "  
 " 14 2 Sept " "  
 " 1 0 etc alias 3pa & cont'd  
 " 2 " " alias 3pa  
 " executed and cont'd  
 1894 Set for hearing by  
 " plaintiff  
 " June Term Decree  
 final O.B. 4 P. 40

\$22.59

1890 to 1900

S.



X and that the said Jennie Sarver be forever divorced from the said James Sarver & that the plaintiff recover of the Deft. her costs in this behalf expended

Jennie Sarver, }  
vs. } Jan Ch. J.  
James Sarver }

This cause having been set for hearing came on this day to be heard upon the bill & Complaint & the Depositions of witnesses & was argued by Counsel. And it appearing to the Court that the allegations of said bill had been fully proven, it is adjudged, ordered & decreed that the bonds of matrimony heretofore existing between Jennie Sarver & James Sarver be, & the same are hereby dissolved. X And this Cause is stricken from the docket.



Jennie Sarver  
N. { Deere  
James Sarver

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Ent. you Chy. Ord. Book (P. 40)

Enter this Deere  
W. Lm  
June 15, 1894.





Virginia Lee County Court:  
This day William Wilson personally  
appeared before me and made oath  
that on the 15<sup>th</sup> day of June 1894,  
he delivered a <sup>true</sup> copy of the within  
notice to James Barner.  
Given under my hand this 15<sup>th</sup>  
day of June 1894.

H. C. Goslyn J.P.

Jennie Barner  
W. } Notice to take  
Depositions.  
James Barner



Jennie Sarver Plaintiff

James Larver      3      depositions  
no.      Sept

The depositions of George Halliday  
Taken before me H. C. Jorlyn a  
Justice of the Peace, in and for the  
County of Lee & State of Virginia, at  
the Law office of Jackson &  
Blankenship, in the town of Jonesville  
pursuant to notice hereto attached.

The said depositions are intended to be read as evidence for the Plaintiff in a certain suit in Equity now pending in the Circuit Court of Lee County. in which Jennie Garner is Plaintiff and James Garner is defendant.

George Halliday, a witness of lawful age being duly sworn deposes as follows,

Ques. 1. Please state your name, age, occupation & place of residence?

Ans My name is George Halliday I am  
38 years of age, a Farmer, and  
live in Lee County Va

Ques 2. Please state whether or not you  
are acquainted with Jennie Sorver  
the plff in this case, & if so, how  
long have you known her?

Ans I know Jennie Sarver, the plaintiff, and have known her at least five years.



Ques. 3. Please state whether or not the said Jennie Sorner, pliff in this case, was & has been a resident of this County & State for twelve months preceding the time of bringing this suit which was in Feb'y 1898?

Answer She was a Citizen of Lee County Va for twelve months previous to the bringing of this suit, and had been for several years before, and I have always understood that she was born and raised in Lee County.

And further this deponent soith not.

Witness claims  
1 day 50 cts

George Holliday

William Wilson another witness of lawful age being duly sworn deposes and says,

Ques. 1. Please state your name, age, occupation & place of residence?

Ans. My name is William Wilson. I am 28 years of age. a Farmer, and I live near Jonesville Lee Co Va.

Ques. 2. Please state if you know how long Jennie Sorner, the pliff in this



Case, has been ~~a~~ <sup>a</sup> resident of  
Lee Co., Va., & whether or not  
she is still a resident of said  
County & State?

Sussex. I have known Jennie Sarver for  
four years. She has been a resident  
of this County and State all that  
time, and is ~~a~~ resident of this  
County and State at the present  
time.

And further this deponent saith not.  
Witness claims 1 day 50 cts William <sup>his</sup> Wilson  
Paid by Ref. Mark

Virginia Lee County To-wit;  
I, Henry C. Foslyn a Justice of the Peace  
in and for the said County and State,  
do hereby Certify, that the foregoing  
depositions of George Halliday and  
William Wilson, were duly Taken  
Sworn to and subscribed before me,  
at the time and place, mentioned  
in the Caption of the same.  
Given under my hand this 15<sup>th</sup> day  
of June 1894.

H. C. Foslyn J. P.



Jennie Sarver  
vs.  $\frac{3}{4}$  In Equity  
James Sarver

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The Depositions of  
Leo Halliday &  
William Wilson

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Filed June 1  
Received from the Justice  
before whom taken and  
filed June the 15<sup>th</sup> 1894  
A B Munsey Clerk

J. P. Fee, 75 ct



Jennie Sorver Plff  
vs. } Depositions.  
James Sorver Def.

The Depositions of Rebecca J. Wilson  
& Mary Corroll & Wm. Wilson  
taken before me, H.C. Joslyn, a  
Justice of the Peace in & for the County  
of Lee & State of Virginia, at the  
Law Office of Jackson & Bankerhoff,  
in the Town of Jonesville, pursuant  
to notice hereto attached; Said depo-  
sitions are intended to be read as  
evidence for the plaintiff in a  
certain suit in Equity now pending  
in the Circuit Court of Lee County  
in which Jennie Sorver is Plaintiff  
& James Sorver is defendant.

Rebecca J. Wilson, a witness of  
lawful age being duly sworn  
deposes & says:

Ques. State your name, age & place of  
residence?

Answer Rebecca J. Wilson is my name  
I am 23 years of age, and I  
live about two miles North  
West from Jonesville Va

Ques State whether or not you are acquainted with  
Jennie & James Sorver & if you know whether  
or not they once lived together as man & wife?



Answer. I am acquainted with James and Jennie Sarver. and I always heard that they were married, but they were living apart when I first knew them. I have heard them both say that they were man & wife.

Ques. State whether or not you know of James Sarver being guilty of committing the Crime of Adultery?

Answer. I know that James Sarver has been guilty of the Crime of Adultery, about one year ago I also know that James Sarver has been living with Lis Reynolds as man and wife for nearly a year, I have seen them in bed together several times.

And further this deponent saith not.

Witness claims  
1 day. 50 cts Pd. by Plff.

Rebecca <sup>her</sup> J. Wilson  
Mort

Mary Carroll another witness of lawful age being duly sworn deposes as follows.

Ques. State your name, age & place of residence?

Ans. My name is Mary Carroll, I am



26 years of age, and live in  
Lee County Va.

Ques. State whether or not you know the  
fact that James & Jennie  
Sarver once lived together as husband  
and wife?

Answer. I do know that James and Jennie  
Sarver lived together as man and  
wife. They lived together about four  
years as man and wife.

Ques. State whether or not during the  
time they lived together & after they  
parted if you know of James  
Sarver being guilty of the <sup>act</sup> ~~crime~~  
of Adultery?

Answer. I know of his committing adultery  
several times during the time  
they lived together as man and  
wife, and on many occasions  
since they parted, during the time  
they lived together as man and wife  
James Sarver whipped his wife,  
and was very cruel and mean  
to her.

And further this deponent soith owt.

Witness claims  
1 day 50 cts Pl. by Plff.

Mary <sup>her</sup> Carroll  
Mark



William Wilson another witness  
of lawful age being duly sworn  
deposes as follows.

Ques. State your name, age, occupation  
& place of residence?

Ans. My name is William Wilson, I am  
27 years of age, a Farmer, and  
I live in Lee Co Va.

Ques. State if you know whether or not  
James Corner is now living with  
another woman & all you may  
know about it?

Answer He is living with a woman by  
the name of Sis Reynolds. and has  
been living with her about two  
years to my knowledge. I have  
seen them in bed together,  
And further this deponent saith not.

Witness claims 1 day .50 cts  
paid by Plff. William <sup>his</sup> Wilson  
mark

Virginia Lee County To-wit.

I, Henry C. Forslyn a Justice of the Peace in and  
for the said County and state, do hereby Certify,  
that the foregoing deposition of Rebecca J. Wilson  
Mary Carroll and William Wilson, were duly taken  
sworn to and subscribed, before me, at the time  
and place mentioned in the Caption of the same.  
Given under my hand this 3<sup>d</sup> day of  
November 1893.

Henry C. Forslyn J.P.

Jennie Carver  
Deponent

James Carver

Deposition of Witnesses

Received from  
H. C. Forslyn the  
Justice of the Peace  
taken and filed  
Nov 4<sup>th</sup> 1893  
A. B. Munsey  
Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*As at another time we have  
Commanded you that Summon  
James Sarver*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *Third* Monday in *October*, 189 *3*, to answer a bill in Chancery, exhibited against *him* in our said court by *Jennie Sarver*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *9<sup>th</sup>* day of *October*, 189 *3*, and in the *11<sup>th</sup>* year of the Commonwealth.

*A B Munsey* Clerk.



Virginia Lee County Court.

This day William Wilson personally appeared before me and made oath, that on the 30<sup>th</sup> day of Oct 1893. he delivered a copy of the within summons. to James Sarver and read the same to him and explained to him the contents of same. Given under my hand this 3<sup>d</sup> day of Nov 1893.

H. C. Foslyn J. P.

James Sarver

U.S. }  
SUBPENA  
IN CHANCERY.

James Sarver

James Sarver

To 2nd October Rules,

Circuit Court.

Not Treated as

James Sarver



James Sonner

TAKE NOTICE, That I will on the 3 day of  
Nov., 1893, at the Law Office of Jackson &  
Blankenship, in Jonesville, Lee Co., Va.,  
beginning at one o'clock P.M. on said day,  
~~will~~ proceed to take the deposition of Minerva Sams, Rebecca J.  
Willson et al

which, when taken, I intended to be read as evidence on my behalf in a certain suit in Chancery  
now pending in the Circuit Court of Lee County, State of Va., in which  
I, Jennie Sonner, am plaintiff and  
you are defendant.

And if from any cause the same be not commenced, or if commenced, be not concluded on that day, the  
taking thereof will be adjourned from time to time, and from place to place, until completed.

Oct. 28, 1893.

Very Respectfully,

By Counsel.

Jennie Sonner.



Virginia Lee County To wit:

This day William Wilson personally appeared before me and made oath that on the 30<sup>th</sup> day of October 1893. about noon of that day - that he delivered an exact copy of the within notice to James Sarver and read the same to him, and informed him of the contents. Given under my hand this 3d day of Nov 1893.

W. C. Joslyn J. P.

James Sarver  
to { notice to take  
depositions.

James Sarver